

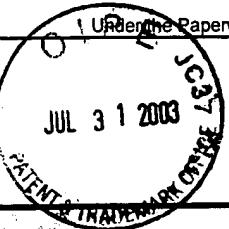
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PTO/SB/29 (1/98)

JUL 31 2003



## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional application under 37 CFR 1.53(d))

CHECK BOX, if applicable  
 DUPLICATE

Address to:

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attorney Docket No.  
First Named Inventor  
Examiner Name  
Group / Art Unit  
Express Mail Label No.

395-6  
GUY A. COSMO  
JOHN SIPOS  
3721

This is a request for a  continuation or  divisional application under 37 C.F.R. § 1.53(d) (continued prosecution application (CPA)) of prior application number 09/460,836, filed on December 14, 1999, entitled VERTICAL BAGGING APPARATUS.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. §1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. §154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after Jun 8, 1995.

**C-I-P NOT PERMITTED:** a continuation-in-part application cannot be filed as a CPA under 37 C.F.R. §1.53(d), but must be filed under 37 C.F.R. §1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. §1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. §1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned and the application number

RECEIVED

- Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. §1.116 in the prior nonprovisional application. AUG 04 2003
- A preliminary amendment is enclosed. TECHNOLOGY CENTER R3700
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. §1.53(d)(4).
  - DELETE** the following inventor(s) named in the prior nonprovisional application: \_\_\_\_\_
  - The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed
  - PTO-1449
  - Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement. This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner of Patents, Box Design, Washington, DC 20231

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375.00 CP  
13.10 DP  
45.00 PT

01 00 2003  
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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	22 - 20* =	2	x \$18.00 =	\$ 36.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b) OR (l))	4 - 3** =	1	x \$84.00 =	\$ 84.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR §1.16(d))			+ \$ _____ =	\$ _____
				<b>BASIC FEE</b> (37 CFR §1.16)	\$ 750.00
				Total of above Calculations =	\$ 870.00
	Reduction by 50% for filing by small entity (Note 37 CFR §§1.9, 1.27 & 1.28).				\$ 435.00
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent.			<b>TOTAL</b>	\$ 435.00

## 6. Small entity status:

a.  A small entity statement is enclosed, if (b) and (c) do not apply.  
 b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.  
 c.  Is no longer claimed.

7.  The Commissioner is hereby authorized to credit overpayment or charge any fee deficiencies to Deposit Account No. 07-0130.

a.  Fees required under 37 CFR §1.16.  
 b.  Fees required under 37 CFR §1.17.  
 c.  Fees required under 37 CFR §1.18.

8.  A check in the amount of \$ \_\_\_\_\_ is enclosed.9.  A PTO-2038 Credit Card form in the amount of \$ 435.00 is enclosed.

## 10. Other:.....

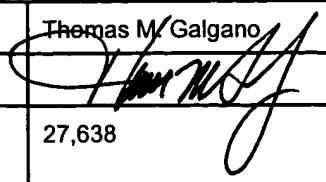
**NOTE:** *The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.*

## 11. NEW CORRESPONDENCE ADDRESS

Customer Number of Bar Code Label  
below  
(insert Customer No. or Attach bar code label here)      or  New correspondence address

Name					
Address					
City		State		Zip Code	
Country		Telephone		Fax	

## 12. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Thomas M. Galgano
Signature	
Registration No. (Attorney/Agent)	27,638
Date	

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